

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

THOMAS ROY WHITTEN

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:04CV765LG-JMR

STUART, ET AL

DEFENDANT(S)

AGREED ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER, HAVING COME BEFORE THE COURT, upon the joint *ore tenus* motion of plaintiff and defendants, and the Court being fully advised in the premises, hereby finds as follows:

1. Pro se Plaintiff Thomas Roy Whitten has announced to the Court that he wishes to dismiss any and all claims which were or could have been brought against defendants Joe Stuart and Pearl River County under 42 U.S.C. § 1983 or any other Federal or State statute or rule of law, with prejudice. Through counsel, Defendants have indicated their agreement. Accordingly, the Court finds that this matter is hereby dismissed with prejudice to the bringing of a future action.

SO ORDERED AND ADJUDGED this the 9th day of March, 2006.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE

Agreed:

s/ Thomas Roy Whitten
Thomas Roy Whitten, Plaintiff

s/ J. L. Wilson, IV
Attorney for Defendants